

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**BP Products North America Inc, and BP-Husky Refining, LLC
4001 Cedar Point Road
Oregon, Ohio 43697**

ATTENTION:

**Allen Ellett
Environmental Team Leader**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency (EPA) is requiring BP Products North America Inc, and BP-Husky Refining, LLC ("BP-Husky" or you) to submit certain information about the facility at 4001 Cedar Point Road, Oregon, Ohio ("Toledo Refinery"). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

BP-Husky owns and operates emission sources at the Toledo Refinery. We are requesting this information to determine whether your emission sources are complying with the CAA.

BP-Husky must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch

U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

BP-Husky must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject BP-Husky to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Virginia Galinsky at (312) 353-2089.

Date

3/30/16

George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term “relate to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term “capital appropriation request” shall mean any document used by plant personnel in seeking management approval for planned expenditures at BP-Husky’s Facility in Oregon, Ohio. These documents are also known as authorizations for expenditure, capital requests or other, similar names.

Appendix B
Information You Are Required to Submit to EPA

BP-Husky must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), for the Toledo Refinery.

For the purposes of these questions, sub-streams that combine into a single, combined stream shall each be considered individual “feed streams.”

1. Provide a written statement that identifies whether, at any time since January 1, 2006, the FCCU has processed: a) a feed stream that was not hydrotreated or otherwise desulfurized before being processed in the FCCU or b) a mixture of streams that includes at least one that was not hydrotreated or otherwise desulfurized before being processed in the FCCU.
2. Provide a block process flow diagram that depicts and identifies each feed stream for the FCCU, the process equipment upstream of each feed stream, and the location(s) at which FCCU feed sulfur is monitored.
3. Provide copies of all documents, including emails and internal correspondence, that relate to feeding un-hydrotreated or otherwise un-desulfurized gas oil, sour gas oil, and/or crude vacuum bottoms into the FCCU feed drum.
4. Provide copies of all documents, from January 1, 2006 to the present, related to new tie-ins or modifications to tie-ins at the FCC Feed Drum.
5. Provide copies of all capital appropriation requests, authorizations for expenditure, or any other such documents that authorize the expenditure of capital, including attachments and addenda, that were approved from November 14, 2006, to the present day for expenditures related to processing un-hydrotreated or otherwise un-desulfurized feed stream(s) at the FCCU.
6. Provide the following information in a Microsoft Excel workbook on daily average basis for the FCCU, for each day from May 29, 2014, to the present day:
 - a. FCCU total feed rate, in barrels per day (BPD);
 - b. FCCU feed composition (source of feed stream and breakdown by type of petroleum derivative, BPD);
 - c. FCCU feed sulfur content (weight percent);
 - d. FCCU feed total nitrogen content (wt% or ppm);
 - e. FCCU feed basic nitrogen content (wt% or ppm);
 - f. FCCU charge API gravity;
 - g. FCCU slurry or decant oil sulfur content (wt%);
 - h. FCCU slurry or decant oil API gravity;

- i. FCCU feed temperature (degrees F);
- j. FCCU coke make in pounds per hour and as a weight percent of FCCU charge;
- k. FCCU hydrogen on coke (weight percent);
- l. FCCU reactor stripping steam rate (pounds per hour);
- m. Heat transfer to FCCU feed from the preheater furnace and the shell-and-tube heater exchangers (mmBtu/hr);
- n. FCCU regenerator air feed rate in standard cubic feet per day or per minute (scfd or scfm);
- o. FCCU catalyst addition rate (tons per day);
- p. FCCU conventional platinum-based carbon monoxide promoter catalyst addition by brand (pounds per day);
- q. FCCU low NOx combustion promoter catalyst addition by brand (pounds per day);
- r. FCCU sulfur dioxide reduction catalyst addition by brand (pounds per day);
- s. FCCU catalyst circulation rate (pounds per hour);
- t. FCCU catalyst to oil ratio;
- u. Average FCCU regenerator dense bed temperature (degrees F);
- v. Average FCCU regenerator dilute phase temperature (degrees F);
- w. Average FCCU reactor and/or riser outlet temperature (degrees F);
- x. FCCU regenerator flue gas flow rate (scfm);
- y. FCCU regenerator flue gas O₂ content (volume %);
- z. FCCU regenerator flue gas SO₂ content (ppmvd @ 0% O₂);
- aa. FCCU regenerator flue gas NOx content (ppmvd @ 0% O₂);
- bb. FCCU regenerator flue gas CO content (ppmvd @ 0% O₂);
- cc. FCCU regenerator flue gas CO₂ content (volume %);
- dd. CO Boiler firebox temperature (degrees F);
- ee. CO Boiler firing rate (mmBtu/hr);
- ff. CO Boiler fuel gas flow rate (scfm);
- gg. CO Boiler steam production rate (pounds per hour);
- hh. SNCR urea flow rate (gph);
- ii. Stack gas flow rate (dscfm);
- jj. Stack O₂ content (volume %);
- kk. Stack gas SO₂ content (ppmvd @ 0% O₂);
- ll. Stack gas NOx content (ppmvd @ 0% O₂); and
- mm. Stack gas CO content (ppmvd @ 0% O₂).

If, in response to Question 1, above, BP-Husky identified that the Toledo Refinery has processed feed that has not been hydrotreated or otherwise desulfurized at its FCCU:

7. Identify each non-hydrotreated and non-desulfurized feed stream that the FCCU has processed, and whether the FCCU is currently *capable* of processing that feed stream (regardless of whether the FCCU is *actually* currently processing unhydrotreated or undesulfurized feed). In order to be considered "currently capable of processing feed that has not been hydrotreated or desulfurized," there must be piping currently in place to supply that feed to the FCCU and/or FCCU feed drum.
8. For each stream identified in response to Question 7, provide the following information.

- a. describe the stream;
- b. identify the source of the stream (i.e. what piece of equipment it comes from);
- c. identify how the stream is fed into the FCCU;
- d. identify the minimum, maximum and average sulfur concentration of the stream;
- e. identify the maximum feed rate of each stream in BPD, and provide the basis for the number, including any supporting documentation or calculations;
- f. provide the feed rate of each stream, in BPD, for each day from January 1, 2000 to the present, in a Microsoft Excel workbook. If BP-Husky does not monitor the flow rate of any stream for which data is required under this subparagraph, BP-Husky must provide engineering estimates of the daily feed rate for that stream and describe the methodology used to make the estimates; and,
- g. provide the feed rate of each stream, as a percentage of total FCCU feed, for each day from January 1, 2000 to the present, in a Microsoft Excel workbook.

If, in response to Question 1, above, BP-Husky identified that the Toledo Refinery has only processed feed that has been hydrotreated or otherwise desulfurized at its FCCU:

9. For each feed stream that has been feed to the FCCU at any time since January 1, 2006, provide the following information (each of the following shall be considered a stream, unless they are composed of sub-streams, in which case each sub-stream shall be considered its own stream: (1) hot heavy gas oil recycle, (2) cold heavy gas oil recycle, (3) slurry recycle, (4) vacuum tower bottoms, (5) slop feed):
 - a. identify and describe the stream;
 - b. identify the source of the stream (i.e. what piece of equipment it comes from);
 - c. provide a diagram that shows the hydrotreating or desulfurization process for the stream in relation to the FCCU;
 - d. identify how the stream is fed into the FCCU;
 - e. identify the minimum, maximum and average sulfur concentration of the stream;
 - f. identify the maximum feed rate of each stream in BPD, and provide the basis for the number, including any supporting documentation or calculations; and,
 - g. provide the daily average feed rate of each stream, in BPD, from January 1, 2000 to the present, in a Microsoft Excel workbook. If BP-Husky does not monitor the flow rate of any stream, BP-Husky must provide engineering estimates of the daily average feed rate for that stream and describe the methodology used to make the estimates.
10. Provide copies of all capital appropriation requests, authorizations for expenditure, or any other such documents that authorize the expenditure of capital, including attachments and addenda, that were approved from November 14, 2006, to the present day for expenditures on the BGOT or associated equipment.
11. Provide copies of all capital appropriation requests, authorizations for expenditure, or any other such documents that authorize the expenditure of capital, including attachments and addenda, that were approved from November 14, 2006, to the present day for expenditures on a DCO/ICO stripper or associated equipment.

12. Provide the results of all monitoring of emissions conducted at the FCCU bypass stack from January 1, 2015 to the present.
13. Provide all documentation, including emails, relating to actions BP-Husky has taken to determine the source and cause of the emissions monitored in the FCCU bypass stack, and any findings as to the source and cause of the emissions. Provide a written statement that summarizes BP-Husky's actions and findings.
14. Provide a block diagram that depicts the FCCU, the CO Boiler, the FCCU bypass stack, the water seal, the FCCU emission control devices, and the main FCCU stack.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

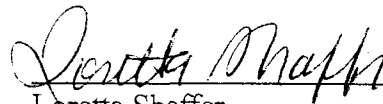
Allen Ellett, Environmental Team Leader
BP-Husky Refining, LLC
4001 Cedar Point Road
Oregon, Ohio 43697

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bob Hodanbosi
Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency
1800 WaterMark Drive
Columbus, Ohio 43266-1049

Karen Granata
Karen.granata@toledo.oh.gov

On the 31 day of March 2016.



Loretta Shaffer
AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7673 8101